

House Foreign Affairs Committee
Tom Lantos Human Rights Commission

Hearing
on

Child Labor and Human Rights Violations in the Mining Industry of the Democratic Republic of Congo

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STATEMENT SUBMITTED FOR THE RECORD

Submitted by:

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Child labor is an insidious problem that robs children of their childhood. For children engaged in hazardous work, it endangers their physical and mental health and their safety. One of the worst forms of child labor - also a type of modern slavery - occurs in the mining sector. Globally, 1-2 million children work in mining, digging, sorting, washing and selling minerals that make up products and technologies we use every day. In the Democratic Republic of Congo (DRC) specifically, according to the latest statistics from the Department of Labor's Bureau of International Labor Affairs [*Sweat & Toil: 2020 Findings on the Worst Forms of Child Labor*](#), there are an estimated 35,000 child miners engaged in cobalt and copper production.

For almost two decades, Pact, an international nonprofit with corporate offices in Washington D.C., has been working with artisanal and small-scale mining (ASM) communities in DRC to help make this critical livelihood safer, more formalized and productive, and free of human rights abuses.

Since 2013, Pact has been implementing projects that address the root causes of child labor in ASM. This work began with a focus on tin, tantalum and tungsten and has included copper and cobalt since 2016.

In the course of this work, Pact has closely collaborated with the Organization for Economic Cooperation and Development (OECD) to assist companies with understanding the severity of child labor as a human rights issue and provide guidance on how to act. Pact was a pivotal contributor to the OECD's overall guidance, [*"Practical actions for companies to identify and address the worst forms of child labour in mineral supply chains."*](#)

Over the years, Pact has authored seminal publications on child mining in Congolese minerals. This includes “[Breaking the chain: Ending the supply of child-mined minerals](#)” released in 2013 and the follow-up publication, “[Children Out of Mining](#)” in 2016. Pact has also assisted peer organizations with understanding the complex drivers of child mining in cobalt. A [joint study conducted in 2021](#) by Save the Children and the Center for Child Rights in Business specifically credited Pact’s ongoing work on child protection in cobalt as “best practice” examples.

Pact’s work uses systemic, integrated approaches tailored to each community. Pact begins by studying factors that are contributing to child labor. Then, we work in partnership with mining communities, governments, the private sector as well as adult miners and child miners themselves to address these root causes. Along the way, we work with mining communities to change perceptions and norms around child labor, economically empower vulnerable households who are sending their children to work in the mines (or are at risk of starting) so they are no longer dependent on their children’s income from the mines, and develop the capacity of local institutions, including schools, social service agencies and child protection organizations.

A unique aspect of Pact’s child protection approach in the mining sector focuses on engaging private sector partners throughout the mineral supply chain as local changemakers or as funding partners. To date, Pact has forged partnerships with commodity traders, large-scale mining companies, and downstream (consumer-facing) industry to engage in new ways in DRC’s complex cobalt sector.

Pact has also supported the development of the Responsible Sourcing Standard for ASM cobalt in DRC, which has been released by DRC state-company Entreprise Générale du Cobalt to support the establishment and maintenance of safe and strictly controlled artisanal cobalt mining zones in DRC. The EGC Standard includes provisions around labor standards and working conditions, the protection of human rights and the fight against child labor.

Pact’s work does not just focus on large, international companies. Between 2018 and 2021, thanks to USDOL funding Pact implemented the COTECCO project in partnership with the International Labor Organization (ILO) and built the capacities of 44 cobalt producing cooperatives and large-scale mining (LSM) companies to improve their ability to prevent, identify and remediate child labor in their supply chains. This led to the creation of three private sector working groups that organize regular visits to mining sites to assess the situation of child labor, act as counselors for local private sectors confronted to the issue of child labor in their supply chains, and advocate with government and communities to find appropriate ways to remediate this issue.

Pact’s approach includes partnerships with hyper-local industry as well. With funding from the Responsible Mineral Initiative of the US-based Responsible Business Alliance and others, Pact operates its popular Youth Apprenticeship Program that works with adolescent miners to transition to other age-appropriate, safe careers. The careers are scoped first via a Market Study

to ensure the trades are both feasible and profitable. Then, local mentors are identified from the selected trades, chosen based on their good character and solid professional experience. Finally, Pact identifies out-of-school youth aged 15 to 17 who are working on mine sites to meet their own basic needs or the needs of their families. These individuals then undergo a six-month intensive apprenticeship in a trade of their choice under the supervision of a mentor. At graduation, each apprentice is provided with an entrepreneur kit, which provides them with basic startup supplies for their own business. Of the 700 program graduates, more than 95% have left mining permanently and embraced their alternative livelihood. At 16 months after graduation, typically 98% of graduates are earning more than when they were working in the mines.

This program forms just one of many successful approaches that Pact has developed. Despite the great need in this region, there is not a dearth of solutions. Pact's programming and its results show there are solutions to the persistent problem of child labor in mining.

While these gains are important to acknowledge and celebrate, we know there is still a lot of work to be done. Improving educational opportunities, social protection systems and policies, and knowledge of the dangers of child labor to children and communities will not prevail without addressing local economic diversification in mining-predominant areas. As the economic impact of Covid-19 continues to hit mining communities hard, we need to double down on our efforts to scale what works.

What is needed are catalytic investments. The cobalt sector has unique promise in terms of its potential to be the first DRC commodity to be truly child-labor free. Cobalt is mined in a discrete geographic area in a stable part of DRC and with comparatively advantageous infrastructure to implement lasting solutions. Pact has found Congolese mining communities eager to address this problem, which they recognize is affecting their communities' short and long-term futures.

Pact is always delighted to share insights about its deep experience and unique know-how in the mining sector of this dynamic region. We look forward to working with the US Government to end child labor in all its forms in DRC and beyond.